

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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:
HELICON PARTNER, LLC,
:

Plaintiff
:

- against-
:

Adversary Proceeding No.
12-01602-SMB
:

KIM'S PROVISION CO., INC.; WON HO KIM;
KI KIM; JANE AND JOHN DOES 1-10
:

Defendants
:
:
:
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[PROPOSED] ORDER TO SHOW CAUSE

Upon the Memorandum of Law in Support of NGF's Emergency Motion to Vacate or Modify the Order of Attachment and the Declaration of T. Steven Har with supporting exhibits, it is ORDERED that the above named parties show cause before this Court, the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004-1408, on May _____, 2012 at _____ o'clock in the _____ noon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued vacating the order of attachment issued on April 27, 2012 or modifying it as it relates to NGF, Inc. and transferred Signature Bank account number 50000001 : 501180188 ("NGF's Bank Account") and, pursuant to CPLR 6212(e) awarding damages for injuries to NGF which it has suffered as a direct result of the wrongful attachment of its bank account; and it is further

ORDERED that, sufficient reason having been shown therefor, pending the hearing of NGF's Motion to Vacate or Modify the Order of Attachment, any assets transferred or moved from NGF's Bank Account to any other account or entity shall be returned; and it is further

ORDERED that the currently frozen bank account of NGF, Inc. shall serve as an undertaking pending the hearing of NGF's Emergency Motion; and it is further

ORDERED that personal service of a copy of this order and annexed affidavit upon the parties or their counsel on or before _____ o'clock in the _____ noon, on May __, 2012, shall be deemed good and sufficient service thereof.

Dated: New York, New York

Issued : May ____, 2012

United States District Judge